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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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JAN 17 2003

TECH CENTER 1600/2900

In re application of: Weiner *et al.*

Serial No.: 09/719,067

Group Art Unit: 1632

Filed: August 16, 2001

Examiner: Ram R. Shukla

Title: METHODS AND COMPOSITIONS FOR DELIVERING PROTEINS TO  
MACROPHAGE CELLS AND CELLS OF MACROPHAGE DERIVED  
LINEAGE

Express Mail Number: EV147617045US

Deposited: January 6, 2003

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

**RESPONSE**

This paper is filed in response to the Office Action dated October 4, 2002. In response to the Office Action mailed October 4, 2002 in connection with the above-identified patent application, Applicants request that the application be amended as follows. Applicants respectfully request reconsideration in view of the following amendments and remarks.

**In the Claims:**

Please cancel claim 4 without prejudice. Please amend claims 1, 5, 9, 18, 19, 23, 24, 25, and 29 and add new claims 30 and 31 as follows:

1. (Amended) A method of delivering a protein to a macrophage cell or a cell of macrophage derived lineage of an individual comprising the steps of:

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Sale Ref: 00000000 Dm: 501275 09719067

18.00 CH

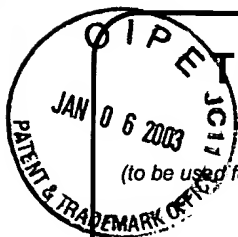
Please type a plus sign (+) inside this box → ☐

PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number 09/719,067

Filing Date August 16, 2001

First Named Inventor David B. Weiner

Group Art Unit 1632

Examiner Name Ram R. Shukla

Attorney Docket Number UPN-3695

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Total Number of Pages in This Submission

18

## ENCLOSURES (check all that apply)

☒ Fee Transmittal Form

☐ Fee Attached

☒ Amendment / Response

☐ After Final

☐ Affidavits/declaration(s)

☐ Extension of Time Request

☐ Express Abandonment Request

☐ Information Disclosure Statement

☐ Certified Copy of Priority Document(s)

☐ Response to Missing Parts/ Incomplete Application

☐ Response to Missing Parts under 37 CFR 1.52 or 1.53

☐ Assignment Papers (for an Application)

☐ Drawing(s)

☐ Licensing-related Papers

☐ Petition

☐ Petition to Convert to a Provisional Application

☒ Change of Correspondence Address

☐ Terminal Disclaimer

☐ Request for Refund

☐ CD, Number of CD(s)

☐ After Allowance Communication to Group

☐ Appeal Communication to Board of Appeals and Interferences

☐ Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)

☐ Proprietary Information

☐ Status Letter

☒ Other Enclosure(s) (please identify below):

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Remarks

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## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name

Daniel M. Scolnick, Ph.D

Reg No.: 52,201

Signature

*Daniel M. Scolnick*

Date

1/6/03

## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date:

Typed or printed name

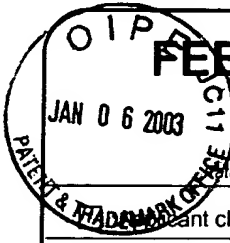
Daniel M. Scolnick, Ph.D. - Reg No.: 52,201

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# FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

Patent claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 18

## Complete if Known

Application Number 09/719,067  
Filing Date August 16, 2001  
First Named Inventor David B. Weiner  
Examiner Name 1632  
Group / Art Unit Ram R. Shukla  
Attorney Docket No. UPN-3695

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## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money ☐ Other ☐ None  
Order

☒ Deposit Account:

Deposit  
Account  
Number

50-1275

Deposit  
Account  
Name

Cozen O'Connor

The Commissioner is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments  
☒ Charge any additional fee(s) during the pendency of this application  
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
101	740	201	370	Utility filing fee	
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	

SUBTOTAL (1)

(\$ 0)

### 2. EXTRA CLAIM FEES

Total Claims 30 -29 \*\* = 1 X 18 = 18  
Independent Claims 0 - \*\* = 0 X 0 = 0  
Multiple Dependent X 0 = 0

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claim, if not paid
109	84	209	42	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2)

(\$ 18)

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet.	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17 (q)	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify)

Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$ 0)

## SUBMITTED BY

Complete (if applicable)

Name (Print/Type)

Daniel M. Scolnick, Ph.D

Registration No. Attorney/Agent

52,201

Telephone

215-665-6928

Signature

*Daniel M. Scolnick*

Date

1/16/03

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